In the High Court for the States of Punjab and Haryana at Chandigarh

…

C.M.No. 23123-CII of 2008
in COCP No. 1204 of 2007(O&M)
Date of decision: September 11, 2009

Bhagwan Dass Arora ..Petitioners

Versus

Rajan Gupta, IAS and others Respondents

Coram: **Hon'ble Mr. Justice Rakesh Kumar Garg**

Present: Mr. R.N.Sharma, Advocate
for the petitioners
Mr. Ashok Jindal, Addl.A.G.Haryana
for the respondents

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Rakesh Kumar Garg, J.(Oral)

In the instant application, the grievance of the petitioner before this court is that in spite of the undertaking given by the respondents before this court in COCP No.1204 of 2007 which was disposed of vide order dated 30.11.2007, the financial benefits have not been released to the petitioner as per his calculations. However, the claim of the petitioner has been contested by the respondents. In the reply filed by the respondent, it is specifically stated that all the benefits of the petitioner have been released to him and nothing remains due except the interest amount of Rs. 3884/- which he had refused to accept. Mr. R. N. Sharma, learned counsel for the petitioner/applicant has accepted the amount of Rs. 3884/- by way of cheque.

Be that as it may, since there is a bonafide dispute between the parties with regard to the calculations, it cannot be said that there is any willful disobedience on the part of the respondents in not complying with the undertaking given before this court.

In view of the above, application is dismissed.

September 11, 2009 (RAKESH KUMAR GARG)
nk JUDGE